

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

NO.: 4:02-CV-103FA(4)

GEORGE S. PURDY,

Plaintiff,

v.

ACUITY LIGHTING GROUP, INC., et al.,

Defendants.

VERDICT

We, the jury, answer unanimously to the following questions:

1. Did the defendant breach the implied warranty of merchantability made to the plaintiff?

 Yes
 X No

(Note: if the answer to this question is "yes," please answer question 2; if the answer is "no," stop here, sign the form, and inform the bailiff that you have reached a verdict.)

2. Did the defendant's breach of the implied warranty of merchantability proximately cause injury to the plaintiff?

 Yes
 No

(Note: if the answer to this question is "yes," please answer question 3; if the answer is "no," stop here, sign the form, and inform the bailiff that you have reached a verdict.)

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U.S. DISTRICT COURT
E.D. NC

3. Do any affirmative defenses bar the plaintiff from recovery?

3a. Was the plaintiff's injury proximately caused by an alteration or modification made to the Model 1271 Work Light by someone other than the defendant after it left the defendant's control and without the defendant's express consent or not in accordance with the defendant's instructions or specifications?

____ Yes
____ No

3b. Was the plaintiff's injury proximately caused by the plaintiff's failure to exercise reasonable care, under all the circumstances then existing, when he used the Model 1271 Work Light?

____ Yes
____ No


3c. Was the plaintiff's injury caused by the Model 1271 Work Light after the plaintiff knew of or discovered a defect or dangerous condition of the Model 1271 Work Light that was inconsistent with its safe use and then unreasonably and voluntarily exposed himself to the defect or dangerous condition?

____ Yes
____ No

(Note: if the answers to questions 3a, 3b, and 3c are "no," please answer question 4; if the answer to any one of these questions is "yes," stop here, sign the form, and inform the bailiff that you have reached a verdict.)

4. What amount of damages is plaintiff entitled to recover for his injury?

Plaintiff is entitled to recover \$ _____

Signed 
Jury Foreperson

Date Aug 22, 2003